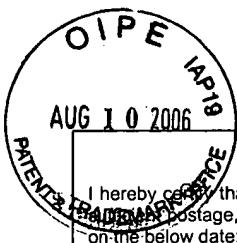




TCAK

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 1391/1576
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)). On <u>August 7, 2006</u> Signature <u>/Steven P. Shurtz/</u> Typed or printed Name <u>Steven P. Shurtz</u>	In re Application of Barbara Stawski, et al.	
	Application Number <u>10/810,461</u>	Filed <u>March 26, 2004</u>
For CONFECTIONARY WITH FAST FLAVOR RELEASE JACKET COATING		
Art Unit <u>1761</u>	Examiner <u>K. Mahafkey</u>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.		
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is Reduced by half, and the resulting fee is : \$ _____		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>23-1925</u> . I have enclosed a duplicate copy of this sheet.		
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		
<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>/Steven P. Shurtz/</u> Signature
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>31,424</u> .		<u>Steven P. Shurtz</u> Typed or Printed Name
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		(312) 321-4200 Telephone number <u>08/10/2006 TPUITE1 00000002 10010461</u> 01 FC:1401 500.00 OP
		<u>August 7, 2006</u> Date
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.		

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: August 7, 2006 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Barbara Stawski et al.

Appln. No.: 10/810,461

Filed: March 26, 2004

For: CONFECTIONARY WITH FAST FLAVOR  
RELEASE JACKET COATING

Attorney Docket No: 1391/1576

Examiner: K. Mahafkey

Art Unit: 1761

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- Notice of Appeal.  
 Return Receipt Postcard

**Fee calculation:**

- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$500 under 37 C.F.R. § 41.20(b)(1).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$25=		x \$50=	
Indep.		Minus			x 100=		x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=		+\$360=	
					Total	\$	Total	\$

**Fee payment:**

- A check in the amount of \$\_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$500.00 (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

August 7, 2006

Date

/Steven P. Shurtz/

Steven P. Shurtz (Reg. No. 31,424)